

## REMARKS

In accordance with the foregoing, claim 19 has been amended. Claims 1-25 are pending and under consideration.

Regarding the statutory double patenting rejection, it is respectfully submitted that identical inventions are not claimed in the separate applications. For example, present claim 1 recites rotating the at least one kneading drum slowly. However, this feature is not specifically recited in U.S. 10/805,312. Also, claim 1 of U.S. 10/805,312 recites a range in which the holder of the upper kneading drum faces frontward. However, this feature is not specifically recited in the present claims.

Regarding the obviousness-type provisional double patenting rejections, Applicants note that arguments regarding the allowability of claims 1-22 follow and as such will wait to see if these arguments nullify the double patenting rejections before filing a terminal disclaimer.

The rejection based on Lee is respectfully traversed. Independent claim 1 recites a controller controlling the drum driver and thereby rotating the at least one kneading drum slowly, at a predetermined position before approaching a turning position of the at least one kneading drum based on the rotated position sensed by the rotation sensing part, by decreasing rotation torque of the at least one kneading drum. Although the Examiner refers to an alleged controller in Lee, the Examiner has not established that the controller controls the drum driver as claimed. Accordingly, withdrawal of the rejection is requested.

The rejection based on WO '100 is respectfully traversed. The Examiner relies upon the sensor reading the bar code and controlling the speed of the kneading drums based on the read information as corresponding to the claimed controlling of the rotating. However, the bar code 121 of WO '100 includes two types of information, neither of which is related to controlling speed and position of the kneading drum. Specifically, the bar code 121 includes identification information and baking sequence information. WO '100, p. 9. The arrangement of the cam member 244 and the roll 224 control the rotation of the bag. WO '100, p. 10.

Accordingly, withdrawal of the rejection is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


Serial No. 10/805,350

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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